



Office of the Attorney General
State of Texas

DAN MORALES
ATTORNEY GENERAL

May 28, 1996

Mr. Leonard W. Peck, Jr.
Assistant General Counsel
Legal Affairs Division
Texas Department of Criminal Justice
P.O. Box 99
Huntsville, Texas 77342-0099

OR96-0817

Dear Mr. Peck:

You ask whether certain information is subject to required public disclosure under the Open Records Act, chapter 552 of the Government Code. Your request was assigned ID# 40209.

The Texas Department of Criminal Justice (the "department") received a request for the rotation rosters for the time period of January 1996 until the present for the Thomas Goree Unit. You have submitted to this office representative samples of the requested rosters. You assert that these rosters are excepted from required public disclosure based on section 552.108(b) of the Government Code.

Section 552.108(b) excepts from public disclosure "[a]n internal record or notation of a law enforcement agency or prosecutor that is maintained for internal use in matters relating to law enforcement or prosecution . . ." This provision applies to the internal records of law enforcement agencies and prosecutors when the release of those records would unduly interfere with law enforcement and crime prevention. *See* Open Records Decision No. 531 (1989). You urge that the release of the requested rosters could threaten the security of the prison

because it would provide such detail about the minutia of prison staffing that those inclined to use the information for evil purposes could use it to compromise the security of the prison. From the documents, he could learn how many people were on duty and where they were located. For someone wishing to escape, or assist an escape, or enter the prison for some wicked purpose, knowing who to look out for and where can be a great help.

We agree that the public release of the rotation rosters of the Thomas Goree Unit would unduly interfere with law enforcement. *See* Open Records Letter No. 95-588 (1995). Accordingly, we conclude that the department may withhold the requested rosters from required public disclosure based on section 552.108(b) of the Government Code.

We are resolving this matter with this informal letter ruling rather than with a published open records decision. This ruling is limited to the particular records at issue under the facts presented to us in this request and may not be relied upon as a previous determination regarding any other records. If you have questions about this ruling, please contact our office.

Yours very truly,

A handwritten signature in cursive script, appearing to read "Kay Guajardo".

Kay Guajardo
Assistant Attorney General
Open Records Division

KHG/rho

Ref.: ID# 40209

Enclosures: Submitted documents

cc: Ms. Patricia O'Shea
International Union Representative
AFSCME
815 Brazos, Suite 500
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(w/o enclosures)